

**SENATE JOURNAL
66TH LEGISLATURE
FORTIETH LEGISLATIVE DAY**

Helena, Montana
February 25, 2019

Senate Chambers
State Capitol

Senate convened at 1:01 p.m. President Sales presiding. Invocation by Senator Salomon. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):

2/25/2019

Correctly printed: **SB 21, SB 53, SB 60, SB 71, SB 93, SB 158, SB 182, SB 195, SB 199, SB 213, SB 220, SB 230, SB 234, SB 248, SB 252, SB 260, SB 261, SB 271, SB 278, SB 288, SB 309, SB 310, SB 311, SB 312, SB 313, SB 314, SB 315, SB 316, SJ 16, HB 73, HB 94.**

Correctly engrossed: **SB 48, SB 200, SB 201, SB 257, SB 296.**

Transmitted to the House: **SB 114, SB 198, SB 225, SB 243, SJ 9, HB 56, HB 57, HB 65, HB 92, HB 220.**

Signed by the Secretary of the Senate at 3:40 p.m., February 22, 2019: **SB 39, SB 54, SB 75, SB 83, SB 94.**

Signed by the Secretary of the Senate at 3:47 p.m., February 22, 2019: **SR 11, SR 12, SR 30.**

Signed by the President at 11:50 a.m., February 25, 2019: **SB 39, SB 54, SB 75, SB 83, SB 94.**

Signed by the President at 12:30 p.m., February 25, 2019: **SR 11, SR 12, SR 30.**

Signed by the Speaker at 4:00 p.m., February 25, 2019: **SB 39, SB 54, SB 75, SB 83, SB 94.**

Delivered to the Secretary of State at 3:30 p.m., February 25, 2019: **SR 11, SR 12, SR 30.**

REPORTS OF STANDING COMMITTEES

JUDICIARY (Regier, Chair):

2/25/2019

SB 253, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "LAWS;"

Insert: "REVISING THE TAX LIEN AND TAX DEED PROCESS FOR RESIDENTIAL PROPERTY WITH A DWELLING;"

2. Title, page 1, line 11.

Strike: "IF"

Insert: "OF"

3. Title, page 1, line 11 through line 12.

Strike: "INCLUDES" on line 11 through "STRUCTURE" on line 12

4. Title, page 1, line 16 through line 17.

Strike: "REPEALING" on line 16 through "MCA;" on line 17

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5. Page 1, line 20.

Insert: "NEW SECTION. Section 1. Application for tax deed for residential property -- fee -- notice. (1) (a) If a property tax lien attached to class four residential property with a dwelling is not redeemed in the time allowed under 15-18-111, the assignee may file an application with the county treasurer for a tax deed for the property. The deed application must contain the same information as is required in a tax lien certificate under 15-17-125 and an assignment certificate under 15-17-323, except the description of the property must be the full legal description. The county treasurer shall charge the assignee a \$25 application fee. The fee must be deposited in the county general fund.

(b) If the tax deed application is made by the county as provided in subsection (3), no application fee may be charged.

(2) (a) An assignee who applies for a tax deed for class four residential property with a dwelling shall pay the county treasurer at the time of the tax deed application:

(i) the amount required to redeem any outstanding tax liens, penalties, and interest on the property;

(ii) any delinquent taxes, penalties, and interest;

(iii) current taxes due for the property; and

(iv) the cost of recording the notice of a tax deed application.

(b) The assignee shall also pay within 30 days of notice by the county treasurer the costs required to bring the property to sale, including costs for property information searches, mailing costs, and costs of resale, if applicable.

(3) If no assignment has been made, the board of county commissioners may, by resolution, direct the county treasurer to file an application for a tax deed.

(4) (a) The county treasurer shall have the county clerk and recorder record a notice of the tax deed application, which constitutes notice of the pendency of the tax deed application with respect to the property and remains effective for 1 year from the date of the recording.

(b) A person acquiring an interest in the property after the tax deed application notice has been recorded is considered to be on notice of the pending tax deed sale, and no additional notice is required. The sale of the property automatically releases any recorded notice of tax deed application for the property.

(c) If the property is redeemed, the county treasurer shall record a release of the notice of tax deed application.

(5) Upon application for a tax deed, the county treasurer shall contract with a title company or an abstract company for purposes of determining the names and addresses of the persons required to be noticed of a pending public auction. Notice must be given to the owner of record of the property, the current occupant, if any, and to each party, other than a utility that has an interest or possible claim of an interest in the property and would be necessary to name in a quiet title action. The cost of the report must be included in the costs required to bring the property to sale.

(6) The county treasurer shall give notice to the persons identified in subsection (5). The notice must be in the form provided by 15-18-215 and be made by certified mail, return receipt requested. The cost of providing notice must be included in the costs required to bring the property to sale."

Renumber: subsequent sections

6. Page 1, line 22.

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Strike: "15-18-211"

Insert: "[section 1]"

7. Page 1, line 26 through line 27.

Strike: "or" on line 26 through "applicable" on line 27

8. Page 1, line 28.

Strike: "a property" through "structure"

Insert: "the property"

9. Page 1, line 29.

Following: "equal to"

Insert: "the sum of"

10. Page 2, line 1.

Strike: "and"

11. Page 2, line 2 through line 3.

Strike: "15-18-211(2)(a)" on line 2 through "15-18-211(2)(b)" on line 3

Insert: "[section 1(2)]"

12. Page 2, line 3.

Strike: "."

Insert: "; and"

13. Page 2, line 4 through line 5.

Strike: "(c)" on line 4 through "plus" on line 5

Insert: "(iii)"

14. Page 2, line 6.

Strike: "or structure"

15. Page 2, line 14 through line 15.

Strike: ", if the" on line 14 through "structure," on line 15

16. Page 2, line 15.

Strike: "improvement"

Insert: "dwelling"

17. Page 2, line 23.

Strike: "or structure"

18. Page 2, line 24.

Strike: "2(3)"

Insert: "3(3)"

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19. Page 2, line 25.

Strike: "2(3)"

Insert: "3(3)"

20. Page 2, line 27.

Following: "section"

Strike: "2"

Insert: "3"

21. Page 3, line 5.

Strike: "15-18-211(2)"

Insert: "[section 1]"

22. Page 3, line 14.

Following: "auction"

Insert: "pursuant to [section 2]"

Strike: "1(6)"

Insert: "2(6)"

23. Page 3, line 20.

Strike: "15-18-211(2)"

Insert: "[section 1(2)]"

24. Page 3, line 22.

Strike: "1(3)(d)"

Insert: "2(3)(d)"

25. Page 3, line 23.

Strike: "15-18-212(1)"

Insert: "[section 1(6)]"

26. Page 3, line 24.

Strike: "15-18-212(1),"

Insert: "[section 1(6)]"

27. Page 4, line 2.

Following: "section"

Strike: "1"

Insert: "2"

28. Page 4, line 5.

Strike: "15-18-212,"

Insert: "[section 1]"

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29. Page 5, line 22.

Strike: the first ": \$"

30. Page 6, line 19.

Strike: "15-18-212"

Insert: "[section 1]"

31. Page 6, line 29.

Strike: "15-18-212"

Insert: "[section 1]"

32. Page 8, line 2.

Strike: "15-17-323(1)(b)"

Insert: "15-17-323(1)(b)(ii)"

33. Page 8, line 3.

Strike: "15-17-323"

Insert: "15-17-323(1)(b)"

34. Page 8, line 10.

Strike: "The"

Insert: "Except as provided in subsection (5)(b), the"

35. Page 8, line 12.

Following: "~~paid~~"

Insert: "if taxes currently due for the current tax year have been paid"

36. Page 8, line 15.

Following: line 14

Insert: "(b) The owner of class four residential property with a dwelling may pay delinquent taxes before paying taxes currently due for the current tax year."

Renumber: subsequent subsections

37. Page 8, line 27.

Following: "~~assessed,~~"

Insert: ", other than the person to whom the property is assessed,"

38. Page 9, line 7.

Following: "~~issuance~~"

Insert: "issuance or"

39. Page 9, line 15.

Following: "~~15-18-216~~"

Insert: "upon issuance of a tax lien certificate as required in 15-17-125 and notification that a tax deed may be issued as required by 15-18-212 and 15-18-216"

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40. Page 9, line 23.

Following: line 22

Insert: "(c) For property other than class four residential property with a dwelling, the term does not include interest for payments for the following:

- (i) postage for certified mailings and certified mailings with return receipt requested;
- (ii) a title search, to the extent necessary to identify interested persons entitled to notice of the pending issuance of a tax deed;
- (iii) publishing costs for required publications; and
- (iv) filing costs for proof of notice."

41. Page 10, line 3 through page 11, line 23.

Strike: section 5 through section 6 in their entirety

Insert: "**Section 6.** Section 15-17-122, MCA, is amended to read:

"15-17-122. Notice of pending attachment of tax lien. (1) The county treasurer shall publish or post a notice of a pending attachment of a tax lien for:

(a) class four residential property with a dwelling for which delinquent taxes, penalties, and interest exceed \$1,000; and

(b) all other property on which taxes are delinquent. (2) The notice must include:

(a) the specific date on which the county will attach a property tax lien to property on which the taxes are delinquent; and

(b) a statement that the delinquent taxes, including penalties, interest, and costs, are a lien upon the property and that unless the delinquent taxes, penalties, interest, and costs are paid prior to the specified date, a tax lien will be attached and may be assigned or auctioned to a third party;

(c) a statement of the date, location, and rules of the auction to be held to assign tax liens for class four residential property with a dwelling.

~~(2)~~(3) The notice required in subsection ~~(1)~~ (2) must also include a statement that a list of each property on which the taxes are delinquent is on file in the office of the county treasurer and open to inspection. The list must include:

(a) the name and address of the person to whom the delinquent taxes are assessed;

(b) the amounts of the delinquent taxes, all accrued penalties, interest, and other costs; and

(c) a statement that penalties, interest, and costs will be added to delinquent taxes.

~~(3)~~(4) The notice must be given as provided in 7-1-2121. The notice must be first published or posted on or before the last Monday in June.

~~(4)~~(5) The provisions of this section do not apply to property for which delinquent property taxes have been suspended or canceled under the provisions of Title 15, chapter 24, part 17.""

Insert: "**Section 7.** Section 15-17-125, MCA, is amended to read:

"15-17-125. Attachment of tax lien and preparation of tax lien certificate. (1) (a) The county treasurer shall attach a tax lien no later than the first working day in August to properties on which the taxes are delinquent provided for in 15-17-122(1) and for which proper notification was given as provided in 15-17-122 and subsection (4) of this section. Upon attachment of a tax lien, the county is the possessor of the tax lien unless the tax lien is assigned or auctioned pursuant to 15-17-323.

(b) The county treasurer may not attach a tax lien to a property on which taxes are delinquent but for which proper notice was not given.

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(2) After attaching a tax lien, the county treasurer shall prepare a tax lien certificate that must contain:

(a) the date on which the property taxes became delinquent or, for class four residential property with a dwelling, the date on which the delinquent taxes, penalties, and interest exceeded \$1,000;

(b) the date on which a property tax lien was attached to the property;

(c) the name and address of record of the person to whom the taxes were assessed;

(d) a description of the property on which the taxes were assessed;

(e) a separate listing of the amount of the delinquent taxes, penalties, interest, and costs;

(f) a statement that the tax lien certificate represents a lien on the property that may lead to the issuance or auction of a tax deed for the property;

(g) a statement specifying the date on which the county or an assignee will be entitled to a tax deed or, for class four residential property with a dwelling, the date on which an assignee may apply for a tax deed; and

(h) an identification number corresponding to the tax lien certificate.

(3) The tax lien certificate must be signed by the county treasurer. A copy of the tax lien certificate must be filed by the treasurer in the office of the county clerk. A copy of the tax lien certificate must also be mailed to the person to whom the taxes were assessed, at the address of record, together with a notice that the person may contact the county treasurer for further information on property tax liens.

(4) Prior to attaching a tax lien to the property, the county treasurer shall send notice of the pending attachment of a tax lien to the person to whom the property was assessed. The notice must include the information listed in subsection (2), state that the tax lien may be assigned to a third party, and provide notice of the availability of all the property tax assistance programs available to property taxpayers, including the property tax assistance programs under Title 15, chapter 6, part 3, and the residential property tax credit for the elderly under 15-30-2337 through 15-30-2341. The notice must have been mailed at least 2 weeks prior to the date on which the county treasurer attaches the tax lien.

(5) The county treasurer shall file the tax lien certificate with the county clerk and recorder.""

42. Page 11, line 30.

Following: "~~delinquency.~~"

Insert: "Except as provided in subsection (1)(b), a tax lien certificate or other official record in which the county is listed as the possessor of the tax lien must be assigned by the county treasurer to any person who, after providing proof of mail notice to the person to whom the property was assessed, as required by subsection (5), pays to the county the amount of the delinquent taxes, including penalties, interest, and costs, accruing from the date of delinquency.

(b) (i)"

43. Page 12, line 1.

Following: "possessor"

Insert: "for class four residential property with a dwelling"

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44. Page 12, line 3.

Strike: "(1)(b)"

Insert: "(1)(b)(ii)"

45. Page 12, line 4.

Following: "and interest rate bid."

Insert: "The interest rate bid may not exceed 11%."

46. Page 12, line 5.

Strike: "(b)"

Insert: "(ii)"

47. Page 12, line 9.

Following: "assessed"

Insert: "seeks the assignment and provides proof of mail notice to the person to whom the property was assessed or"

48. Page 12, line 22.

Following: "~~obtain~~"

Insert: "obtain or"

49. Page 13, line 16.

Following: line 15

Insert: "(5) Prior to making a payment under subsection (1)(a), a person shall send notice of the proposed payment, by certified mail, to the person to whom the property was assessed. The notice must have been mailed at least 2 weeks prior to the date of the payment but not earlier than August 15. The person making the payment shall provide proof of the mailing. (6) The notice must be in the following form:

NOTICE OF PENDING ASSIGNMENT

(Pursuant to 15-17-125 and 15-17-323, MCA)

THIS NOTICE IS VERY IMPORTANT with regard to the tax lien, which County holds on the following property. If the delinquent taxes are not paid by, an assignment of the tax lien will be purchased. THIS COULD RESULT IN THE LOSS OF YOUR PROPERTY LISTED BELOW.

Please contact the County Treasurer at (406) with questions or to pay the delinquent taxes.

(Required Information):

Owner of record

Mailing address

Legal description

Parcel number

Geocode(s)

Date of notice

.....

Signature of interested assignee

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.....
Printed name of interested assignee"

Renumber: subsequent subsections

50. Page 13, line 16.

Strike: "(1)"

Insert: "(1)(b)"

51. Page 14, line 13.

Strike: "15-17-323"

Insert: "15-17-323(1)(b)"

52. Page 14, line 27.

Strike: "15-17-323"

Insert: "15-17-323(1)(b)"

53. Page 15, line 23.

Following: "~~15-18-211~~"

Insert: "15-18-211 or"

Following: "section"

Strike: "1"

Insert: "2"

54. Page 15, line 25 through page 18, line 28.

Strike: section 10 through section 11 in their entirety

Insert: "**Section 11.** Section 15-18-211, MCA, is amended to read:

"15-18-211. Tax deed -- fee. (1) Except as provided in [section 1] and subsection (3) of this section, if the property tax lien is not redeemed in the time allowed under 15-18-111, the county treasurer shall grant the assignee a tax deed for the property. The deed must contain the same information as is required in a tax lien certificate under 15-17-125 and an assignment certificate under 15-17-323, except the description of the property must be the full legal description.

(2) (a) Except as provided in subsection (2)(b), the county treasurer shall charge the assignee \$25 for making the deed plus all actual costs incurred by the county in giving the notice or assisting an assignee in giving the notice required in 15-18-212. The fee must be deposited in the county general fund.

(b) If the tax deed is issued to the county, no fee may be charged for making the deed.

(c) Reasonable costs incurred by the county in searching the county records to identify persons entitled to notice are considered part of the actual costs of the notice provided in subsection (2)(a).

(3) If no assignment has been made, the county treasurer may not issue a tax deed to the county unless the board of county commissioners, by resolution, directs the county treasurer to issue a tax deed.

(4) Deeds issued to assignees or the county must be recorded by the county clerk as provided in Title 7, chapter 4, part 26, except that when the county is issued the tax deed, the county clerk may not charge a fee for recording the deed.""

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Insert: "Section 12. Section 15-18-212, MCA, is amended to read:

"15-18-212. Notice -- proof of notice -- penalty for failure to notify. (1) Between May 1 and May 30 of the year in which the redemption period expires, a notice must be given as follows:

(a) for each property other than class four residential property with a dwelling for which the county attached a tax lien and has not assigned the tax lien, the county treasurer shall notify the parties as required in subsection (4) that a tax deed may be issued to the county unless the property tax lien is redeemed prior to the expiration date of the redemption period; or

(b) for each property other than class four residential property with a dwelling for which the county attached a tax lien and assigned the tax lien pursuant to 15-17-323, the assignee shall notify the parties as required in subsection (4) that a tax deed will be issued to the assignee unless the property tax lien is redeemed prior to the expiration date of the redemption period.

(2) (a) Except as provided in subsection (2)(b), if the county is the possessor of the tax lien, an assignment has not been made, and the board of county commissioners has not directed the county treasurer to issue a tax deed during the period described in subsection (1) but the board of county commissioners at a time subsequent to the period described in subsection (1) does direct the county treasurer to issue a tax deed, the county treasurer shall provide notification to the parties as required in subsection (4) in the manner provided in subsection (1)(a). The notification required under this subsection must be made not less than 60 days or more than 120 days prior to the date on which the county treasurer will issue the tax deed.

(b) If the county commissioners direct the county treasurer to issue a tax deed within 6 months after giving the notice required by subsection (1)(a), additional notice need not be given.

(3) (a) The county treasurer shall notify the assignee of the obligation to give notice under subsection (1)(b) between January 1 and January 31 of the year in which the redemption period expires. The notice of obligation may be sent by certified mail, return receipt requested, to the assignee at the address contained on the assignment certificate provided for in 15-17-323.

(b) If the assignee fails to give notice as required by subsection (1)(b), as evidenced by failure to file proof of notice with the county clerk and recorder as required in subsection (7), the county treasurer shall cancel the property tax lien evidenced by the tax lien certificate and the assignment certificate. Upon cancellation of the property tax lien, the county treasurer shall file with the county clerk and recorder a notice of cancellation on a form provided for in 15-18-217.

(4) (a) The notice required under subsections (1) and (2) must be in the form required by 15-18-215 and be made by certified mail, return receipt requested, to ~~the current occupant, if any, of the property and~~ to each party, other than a utility, listed on a litigation guarantee, provided that the guarantee:

(i) has been approved by the insurance commissioner and issued by a licensed title insurance producer;

(ii) was ordered on the property by the person required to give notice; and

(iii) lists the identities and addresses of the parties of record that have an interest or possible claim of an interest in the property designed to disclose all parties of record that would otherwise be necessary to name in a quiet title action.

(b) The address to which the notice must be sent is, for each party, the address disclosed by the records in the office of the county clerk and recorder or in the litigation guarantee and, for the occupant, the street address or other known address of the subject property.

(5) The person required to give notice shall, within the period described in subsection (1), give notice as provided in 7-1-2121 and in the form required by 15-18-215.

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(6) The amount of interest and costs continues to accrue until the date of redemption. The total amount of interest and costs that must be paid for redemption must be calculated by the county treasurer as of the date of payment.

(7) Proof of notice must be given as provided in 15-18-216 and must be filed with the county clerk and recorder. An assignee must file proof of notice with the county clerk and recorder within 30 days of the mailing or publishing of the notice. If the county is the possessor of the tax lien, the proof of notice must be filed before the issuance of the tax deed under this chapter. Once filed, the proof of notice is prima facie evidence of the sufficiency of the notice.

(8) A county or any officer of a county may not be held liable for any error of notification."
"

55. Page 19, line 4.

Following: "assignee's"

Insert: "assignee or assignee's agent,"

56. Page 19, line 5.

Following: "lien"

Insert: ", or county that is the possessor of the tax lien"

57. Page 19, line 14.

Following: "issuance"

Insert: "issuance or"

58. Page 19, line 19.

Following: "assignee's"

Insert: "assignee or assignee's agent,"

Following: "lien"

Insert: ", or county that is the possessor of the tax lien"

59. Page 20, line 1.

Following: "issuance"

Insert: "issuance or"

60. Page 20, line 23.

Following: "issue."

Insert: "(1)"

Strike: "Section 15-18-212"

Insert: "[Section 1]"

61. Page 20, line 30.

Strike: "section 15-18-212"

Insert: "[section 1]"

62. Page 21.

Following: line 30

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Insert: "(2) Section 15-18-212 requires that notice be given to all persons considered interested parties of property that may be lost to a tax deed. The notice must be made as follows:

NOTICE THAT A TAX DEED MAY BE ISSUED

IF YOU DO NOT RESPOND TO THIS NOTICE, YOU WILL LOSE YOUR PROPERTY.

TO:.....

(Name) (Address, when unknown, so state)

Pursuant to section 15-18-212, Montana Code Annotated, NOTICE IS HEREBY GIVEN:

1. As a result of a property tax delinquency, a property tax lien exists on the following described real property in which you may have an interest:

2. The property taxes became delinquent on

3. The property tax lien was attached on

4. The lien was subsequently assigned to (if applicable).

5. As of the date of this notice, the amount of tax due is:

TAXES:

PENALTY:

INTEREST:

COST:

TOTAL:

6. For the property tax lien to be liquidated, the total amount listed in paragraph 5 must be paid by, which is the date that the redemption period expires or expired.

7. If all taxes, penalties, interest, and costs are not paid to the COUNTY TREASURER on or prior to, which is the date the redemption period expires, a tax deed may be issued to the assignee or county that is the possessor of the tax lien on the day following the date that the redemption period expires.

8. The business address and telephone number of the county treasurer who is responsible for issuing the tax deed is: County Treasurer, (Address), (Telephone).

FURTHER NOTICE FOR THOSE PERSONS LISTED

ABOVE WHOSE ADDRESSES ARE UNKNOWN:

1. The address of the interested party is unknown.

2. The published notice meets the legal requirements for notice of a pending tax deed issuance.

3. The interested party's rights in the property may be in jeopardy.

DATED at this (Date).

.....

Signature"

63. Page 22, line 5.

Following: "or the"

Insert: "recipient or"

Following: "pursuant to"

Insert: "15-18-211 or"

Following: "section"

Strike: "1"

Insert: "2"

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64. Page 23, line 10.

Following: "or the"

Insert: "recipient or"

Following: "pursuant to"

Insert: "15-18-211 or"

Following: "section"

Strike: "1"

Insert: "2"

65. Page 23, line 11.

Following: "or the"

Insert: "recipient or"

66. Page 23, line 18.

Following: "or the"

Insert: "recipient or"

67. Page 23, line 20.

Following: "or the"

Insert: "recipient or"

68. Page 23, line 22.

Following: "or the"

Insert: "recipient or"

69. Page 24, line 8.

Following: "lien"

Insert: "more than 3 years after the applicable attachment of the tax lien or"

Following: "section"

Strike: "1"

Insert: "2"

70. Page 25, line 13.

Following: "paid:"

Insert: "(5) (a) Subject to subsection (5)(b), if any tax deed or deed purporting to be a tax deed is issued more than 3 years and 30 days after the date of the attachment of the tax lien pursuant to 15-18-211, the grantee may give notice entitled "Notice of Claim of a Tax Title" as provided in 7-1-2121. The notice must:

- (i) describe all property claimed to have been acquired by a tax deed;
- (ii) contain an estimate of the amount due on the property for delinquent taxes, interest, penalties, and costs;
- (iii) contain a statement that for further specific information, reference must be made to the records in the office of the county treasurer;
- (iv) list the name and address of record of the person in whose name the property was assessed or taxed; and

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(v) contain a statement that demand is made that the true owner shall, within 30 days after the later of service or the first publication of the notice, pay to the county treasurer for use by the claimant the amount of taxes, interest, penalties, and costs as the same appear in the records of the county treasurer to redeem the property or the true owner may bring a suit to quiet the true owner's title or to set aside the tax deed.

(b) The notice described in subsection (5)(a) must be served on a taxpayer whose name and address are reasonably ascertainable.

(6) (a) Provided that the statutory requirements for a notice of intended issuance of a tax deed required by 15-18-212 have been complied with and if within the 30-day period the taxes, interest, penalties, and costs are not paid or a quiet title action is not brought, all defects in the tax proceedings and any right of redemption are considered waived. Except as provided in subsection (6)(b), after the 30-day period, the title to the property described in the notice and in the tax deed is valid and binding, irrespective of any irregularities, defects, or omissions in any of the provisions of the laws of Montana regarding the assessment, levying of taxes, or sale of property for taxes, whether or not the irregularities, defects, or omissions could void the proceedings.

(b) The proceedings in subsection (6)(a) are void if the taxes were not delinquent or have been paid."

71. Page 27, line 7.

Following: "section"

Strike: "2"

Insert: "3"

72. Page 28, line 10 through line 13.

Strike: section 19 in its entirety

Renumber: subsequent sections

73. Page 28, line 15.

Strike: "and 2"

Insert: "through 3"

74. Page 28, line 17.

Strike: "and 2"

Insert: "through 3"

And, as amended, do pass.

SB 276, do pass.

SJ 12, do pass.

LOCAL GOVERNMENT (Lang, Chair):

2/22/2019

SB 200, introduced bill, be amended as follows:

1. Page 1, line 10 through line 21.

Strike: section 1 in its entirety

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Insert: "NEW SECTION. Section 1. Classification of mobile home, manufactured home, or housetrailer -- property records. A mobile home, manufactured home, or housetrailer that is considered an improvement as defined in 15-1-101 may not be identified as a mobile home in state and local property databases or through the internet unless the distinction is required for property valuation or property tax billing purposes."

2. Page 1, line 24.

Strike: the first "8"

Insert: "1"

Strike: the first "7"

Insert: "1"

Strike: the second "8"

Insert: "1"

Strike: the second "7"

Insert: "1"

And, as amended, do pass.

NATURAL RESOURCES (Welborn, Chair):

2/22/2019

SB 48, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 12.

Strike: "CONSOLIDATING" on line 6 through "DEFINITIONS;" on line 12

Insert: "AND"

2. Title, page 1, line 13 through line 14.

Strike: "; AMENDING" on line 13 through "75-5-313, MCA" on line 14

3. Page 1, line 18 through page 18, line 6.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Temporary water quality standards variances. (1)

Except as provided in 75-5-222(2) and 75-5-313, the department may adopt rules providing criteria and procedures for the department to issue a temporary variance to water quality standards if:

 (a) a variance will not result in a lowering of currently attained, ambient water quality;

 (b) the department rules are consistent, as necessary, with federal rules that authorize states to adopt variances from standards, including but not limited to 40 CFR 131.14; and

 (c)(i) a permittee cannot reasonably expect to meet a water quality standard during the permit term for which the variance is approved; and

 (ii) a permit compliance schedule is not feasible to preclude the need for a variance during the permit term for which the variance is approved.

 (2) In order to receive a temporary variance, a permittee shall evaluate facility operations and infrastructure to maximize pollutant reduction through an optimization study. The variance must require the implementation of optimization study actions as terms and conditions of the discharge permit.

 (3) The department shall review a temporary variance issued pursuant to this section at

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least once every 5 years and may continue, modify, or terminate the temporary variance as a result of the review."

Insert: "NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 75, chapter 5, part 3, and the provisions of Title 75, chapter 5, part 3, apply to [section 1]."
"

And, as amended, do pass.

SB 201, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "LEGISLATIVE INTENT;"

Insert: "PROVIDING FOR CONTINGENT VOIDNESS;"

2. Page 4, line 2.

Following: "Montana, including"

Strike: "obligations for employee pensions and"

Insert: "[obligations for employee pensions and]"

3. Page 8, line 18.

Following: line 17

Insert: "NEW SECTION. Section 5. Contingent voidness. If the bracketed language in subsection (1)(g)(iii) as included in [section 2] is invalidated or found to be unconstitutional by a court of competent jurisdiction on its final disposition, then the bracketed language in subsection (1)(g)(iii) as included in [section 2] terminates on the date of the invalidation or the finding of unconstitutionality."

And, as amended, do pass.

SB 257, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "13"

Insert: "14"

2. Page 1, line 26.

Following: line 26

Insert: "(ii) the lower Clark Fork River basin;"

Renumber: subsequent subsections

3. Page 1, line 28.

Strike: "Seeley-Swan"

Insert: "Big Blackfoot"

And, as amended, do pass.

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SB 264, do pass.

SB 296, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "WASTE OF WATER,"

Following: "USE OF WATER"

Strike: ", "

2. Page 1, line 10.

Strike: "waste,"

And, as amended, do pass.

Without objection, committee reports were adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate:

2/22/2019

SB 63, introduced by D. Sands

SB 77, introduced by M. McNally

SB 175, introduced by D. Howard

SB 196, introduced by D. Sands

Senate bill concurred in and returned to the Senate:

2/23/2019

SB 104, introduced by R. Webb

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments:

2/22/2019

SB 58, introduced by D. Salomon

House bills passed and transmitted to the Senate for concurrence:

2/22/2019

HB 25, introduced by K. Kelker

HB 177, introduced by F. Anderson

HB 290, introduced by P. Webb

HB 335, introduced by C. Keogh

HB 344, introduced by K. Kelker

HB 370, introduced by B. Beard

HB 382, introduced by M. Caferro

HB 383, introduced by K. White

HB 450, introduced by B. Tschida

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HB 481, introduced by W. Galt

House bills passed and transmitted to the Senate for concurrence:

2/23/2019

HB 204, introduced by M. Ryan
HB 211, introduced by L. Jones
HB 231, introduced by C. Knudsen
HB 279, introduced by B. Brown
HB 281, introduced by B. Brown
HB 291, introduced by B. Beard
HB 305, introduced by T. Winter
HB 324, introduced by W. Sales
HB 373, introduced by D. Dunn
HB 397, introduced by M. Regier
HB 461, introduced by C. Keogh

FIRST READING AND COMMITMENT OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 317, introduced by M. Lang, referred to Highways and Transportation.

The following Senate resolutions were introduced, read first time, and referred to committees:

SR 37, introduced by S. Fitzpatrick, referred to Business, Labor, and Economic Affairs.
SR 38, introduced by S. Fitzpatrick, referred to Business, Labor, and Economic Affairs.

The following House bills were introduced, read first time, and referred to committees:

HB 25, introduced by K. Kelker (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Public Health, Welfare and Safety.
HB 177, introduced by F. Anderson, J. Bachmeier, G. Custer, D. Fern, B. Grubbs, J. Kassmier, K. Kelker, W. McKamey, R. Tempel, referred to Education and Cultural Resources.
HB 204, introduced by M. Ryan, M. Funk, referred to State Administration.
HB 211, introduced by L. Jones, D. Bedey, K. Bogner, B. Grubbs, B. Hamlett, D. Salomon, S. Webber, referred to Education and Cultural Resources.
HB 231, introduced by C. Knudsen, Z. Perry, referred to Public Health, Welfare and Safety.
HB 279, introduced by B. Brown, M. Blasdel, D. Dunn, R. Fitzgerald, J. Fuller, W. Galt, G. Hertz, D. Howard, J. Kassmier, C. Knudsen, R. Knudsen, D. Mortensen, B. Tschida, P. Webb, referred to Fish and Game.
HB 281, introduced by B. Brown, referred to Fish and Game.
HB 290, introduced by P. Webb, B. Brown, T. Burnett, D. Dunn, C. Glimm, S. Greef, C. Knudsen, D. Lenz, S. Vinton, R. Webb, referred to Public Health, Welfare and Safety.
HB 291, introduced by B. Beard, D. Bedey, B. Brown, G. DeVries, A. Doane, J. Dooling, D. Dunn,

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R. Fitzgerald, F. Fleming, J. Fuller, W. Galt, T. Gauthier, C. Glimm, S. Greef, S. Gunderson, B. Hamlett, S. Hinebauch, L. Jones, D. Kary, J. Keane, C. Knudsen, R. Knudsen, J. Krautter, D. Lenz, D. Loge, F. Mandeville, T. Manzella, F. Moore, D. Mortensen, G. Pierson, J. Read, A. Redfield, K. Regier, V. Ricci, T. Richmond, W. Sales, J. Sesso, R. Shaw, L. Sheldon-Galloway, D. Skees, M. Sweeney, B. Tschida, B. Usher, G. Vance, S. Vinton, G. Vuckovich, P. Webb, R. Webb, T. Welch, K. White, D. Zolnikov, referred to Fish and Game.

HB 305, introduced by T. Winter, W. McKamey, C. Schreiner, referred to State Administration.

HB 324, introduced by W. Sales, referred to Local Government.

HB 335, introduced by C. Keogh, S. Greef, referred to Judiciary.

HB 344, introduced by K. Kelker, referred to Business, Labor, and Economic Affairs.

HB 370, introduced by B. Beard, F. Fleming, C. Knudsen, D. Lenz, T. Moore, B. Usher, referred to Business, Labor, and Economic Affairs.

HB 373, introduced by D. Dunn, referred to Business, Labor, and Economic Affairs.

HB 382, introduced by M. Caferro, referred to Business, Labor, and Economic Affairs.

HB 383, introduced by K. White, referred to Natural Resources.

HB 397, introduced by M. Regier, referred to Fish and Game.

HB 450, introduced by B. Tschida, K. White, referred to Business, Labor, and Economic Affairs.

HB 461, introduced by C. Keogh, referred to Judiciary.

HB 481, introduced by W. Galt, referred to Business, Labor, and Economic Affairs.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Barrett in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 38 - Senator MacDonald moved **SB 38** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 124 - Senator D. Brown moved **SB 124** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 134 - Senator D. Brown moved **SB 134** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SB 212 - Senator Webber moved **SB 212** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 215 - Senator R. Webb moved **SB 215** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 48

Nays: Esp, Olszewski.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 218 - Senator Fitzpatrick moved **SB 218** do pass. Motion carried as follows:

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Yeas: Ankney, Barrett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 49

Nays: Bennett.
Total 1

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 236 - Senator McNally moved **SB 236** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 254 - Senator Sands moved **SB 254** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso,

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Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 255 - Senator McClafferty moved **SB 255** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 46

Nays: Blasdel, Brown, Howard, Kary.

Total 4

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 258 - Senator Cuffe moved **SB 258** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Mr President.

Total 29

Nays: Barrett, Bennett, Boland, Cohenour, Esp, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber, Welborn.

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Total 21

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 270 - Senator McNally moved **SB 270** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 274 - Senator Olszewski moved **SB 274** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, MacDonald, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 45

Nays: Cohenour, Gross, Jacobson, Malek, Sesso.

Total 5

Paired: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 275 - Senator Olszewski moved **SB 275** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJ 10 - Senator Bogner moved **SJ 10** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Bogner, Brown, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Hinebauch, Hoven, Kary, Lang, MacDonald, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Webb, Welborn.

Total 29

Nays: Bennett, Boland, Cohenour, Esp, Gross, Howard, Jacobson, Keenan, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vance, Vuckovich, Webber, Mr President.

Total 21

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Senator Barrett moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 21 passed as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Sands, Sesso, Tempel, Webb, Webber.

Total 26

Nays: Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Hinebauch, Howard, Kary, Lang, Olszewski, Osmundson, Regier, Salomon, Small, Smith C, Smith F, Thomas, Vance, Vuckovich, Welborn, Mr President.

Total 24

Paired: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 60 passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 47

Nays: Hinebauch, Vance, Mr President.

Total 3

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 158 passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 47

Nays: Howard, Smith F, Tempel.

Total 3

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 182 passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 43

Nays: Brown, Esp, Howard, Keenan, Olszewski, Smith C, Tempel.

Total 7

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 199 passed as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Lang, McClafferty, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 31

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, Keenan, MacDonald, Malek, McConnell, McNally, Phillips, Pomnichowski, Sands, Smith F, Vuckovich, Webber.

Total 19

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 213 passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven,

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Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 220 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Bogner, Boland, Brown, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 46

Nays: Bennett, Cohenour, Gross, Pomnichowski.

Total 4

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 234 passed as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 33

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Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, MacDonald, Malek, McClafferty, McConnell, McNally, Pomnichowski, Sands, Smith F, Vuckovich, Webber.
Total 17

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 252 passed as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Malek, McConnell, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Welborn, Mr President.
Total 37

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, MacDonald, McClafferty, McNally, Phillips, Pomnichowski, Sands, Webber.
Total 13

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 35 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 45

Nays: Bogner, Esp, Fielder, Howard, Smith C.
Total 5

Paired: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 73 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 42

Nays: Blasdel, Ellsworth, Hinebauch, Keenan, Olszewski, Tempel, Vance, Mr President.

Total 8

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 94 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 49

Nays: Smith F.

Total 1

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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MOTIONS

Majority Leader Thomas moved that **SB 278**, previously reported out of committee, be re-referred to the Finance and Claims Committee, Without objection, so ordered.

Majority Leader Thomas moved that **SB 125** be taken from the Finance and Claims Committee and re-referred to the Business, Labor and Economic Affairs Committee. Without objection, so ordered.

Senator Webb moved that **SB 103** be taken from the Energy and Telecommunications Committee and placed on second reading the next legislative day. Motion **failed** as follows:

Yeas: Gillespie, Hoven, Howard, Olszewski, Regier, Richmond, Webb.
Total 7

Nays: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gross, Hinebauch, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webber, Welborn, Mr President.
Total 43

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Cohenour moved that **SB 193** be taken from the Highways and Transportation Committee and placed on second reading the next legislative day. Motion **failed** as follows:

Yeas: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.
Total 21

Nays: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.
Total 29

Paired: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

UNFINISHED BUSINESS

Mr. President, I move that the following undersigned names be **ADDED** as sponsors to **SB 253**.
Without objection, so ordered.

SB 253 (C. Smith, Chief Sponsor)

Senator T. Jacobson, Senator F. Thomas, Representative B. Tschida.

SPECIAL ORDERS OF THE DAY

Senator Fitzpatrick introduced the Pages for the coming week:

Clair McAllister from Hot Springs, sponsored by Senator Fielder
Elena McAllister from Hot Springs, sponsored by Senator Fielder
Carsen McQueen from Billings, sponsored by President Sales
Jackson Stapleton from Billings, sponsored by President Sales
Trey Thompson from Libby, sponsored by Senator Cuffe

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 1 p.m., Tuesday, February 26, 2019, the forty-first legislative day. Motion carried.

Senate adjourned at 2:19 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate